

Customer No.: 31561
Application No.: 10/604,883
Docket No.: 10766-US-PA

REMARKS

Present Status of the Application

The Office Action rejected claims 9 and 20 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled on the relevant art that the inventors had possession of the claimed invention. Specifically, the Examiner asserts that the amended claims 9 and 20 introduce new matter that was not present at the time of filing.

Allowable Subject Matter

Claims 1-8 and 10-19 are allowed. Applicants appreciate the allowance that the Examiner made to claims 1-8 and 10-19. While allowed claims 1-8 and 10-19 remain unchanged, the allowance made thereto is also solicited to be remained.

Discussion of Office Action Rejections – 35 U.S.C. § 112

The Office Action rejected claims 9 and 20 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully submit declaration and provide attachment of U.S. Patent 6,329,270 to overcome the rejections. To our knowledge, it is comprehensible to a skilled artisan that “a size of a silicon seed” refers to “the

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diameter of the silicon seed". In the attached U.S. Patent 6,329,270, the microcrystallites (seed crystals) 116 are comparable to the silicon seeds of the instant application, and Voutsas discloses that the size of the microcrystallites 116 is associated with "the diameter of the microcrystallites". In *Column 19, lines 5-6*, Voutsas recites "...the size, or diameter of microcrystallites 116 is preferably 1000 angstrom or less"(as shown in Fig. 13). Applicants consider that the phrase "size" recited in claims 9 and 20 is referred to "diameter" for ordinary skilled in the art. As such, Applicant submits that claims 9 and 20 are now in condition for allowance. A declaration traversing rejections under 37 CFR § 1.132 and a copy of the first page of the supporting document USP 6,329,270 are enclosed herewith.

For at least the foregoing reasons, Applicant respectfully submits that all presently pending claims 1-20 patentably define over the prior art references, and should be allowed.

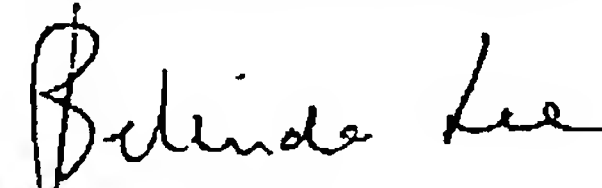
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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-20 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date: Oct. 26, 2006

Respectfully submitted,


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